

REMARKS

Responsive to the Final Rejection of Claims 1 through 42, as set forth in the Office Action of January 15, 2003, Applicant requests entry of this amendment in its entirety and consideration for allowance of Claims 1 through 42. This amendment is not believed to require extensive further consideration or a new search.

Claims 1 through 42 remain in the application with Claims 1, 18, 25 and 42 in independent form. Claims 2 through 17 depend directly or indirectly from Claim 1. Claims 19 through 24 depend directly or indirectly from Claim 18. Claims 26 through 41 depend directly or indirectly from Claim 25. Claims 8, 11, 23, 32, 33, 34 and 35 have been amended to overcome the rejection under 35 U.S.C. 112. In particular, these claims have been amended to spell out the identification of the organizations previously indicated in certain of these claims by acronyms. Certain ones of the claims have also been amended to clarify the singularity of the "consumer station", "the industry station" and "the customer station". The amendments requested to these claims are not believed to require extensive further consideration or a new search.

Reconsideration for allowance of Claims 1 through 42, as presented with this amendment, is respectfully solicited. In the Office Action, the Examiner rejected Claims 1 through 42 under 35 U.S.C. 103(a) as being unpatentable over the teaching of U.S. Patent 5,410,598 to Shear. Each of the independent claims in this application (Claims 1, 18, 25 and 42) is directed to a method or system for promoting intellectual property by permitting access to a computer host station by consumers who view selected intellectual property items listed on a database residing at the host station. Consumers provide information back to the host station in the way of survey information as to the desirability of or interest in purchasing the selected intellectual property item. The method and system also provides for accessing the survey information from an industry station to thereby determine the interest in the item by a particular industrial entity which might be encouraged to manufacture and sell the intellectual property item pursuant to obtaining a

license to do so. The method and system of the invention is believed to be unique and unobvious to one of ordinary skill in the art of processor based systems or methods for determining consumer interest in an intellectual property item, and providing access by an industry entity to determine the level of interest and for possibly obtaining a license to manufacture and sell the intellectual property item. Additional important and unique features are provided by a method and system as set forth in these independent claims and the dependent claims, respectively.

Shear discloses a database usage monitoring, billing and security system for controlling access to and accounting for usage of databases which include information which is transmitted to users of the database. The Examiner indicates that the teaching of Shear as set forth, for example, at column 14, line 53+ makes obvious the system and method set forth in the claims currently pending. However, Applicant respectfully submits that the description of how to access database information as set forth in Shear completely fails to suggest or make obvious to one of ordinary skill in the art of methods for promoting intellectual property the steps of accessing a database by a consumer station, including accessing a description associated with a selected intellectual property item described on the database, sending survey information from the consumer station to the host station containing the database so that the degree of interest in the intellectual property item may then be viewed by accessing the survey information from an industry station to determine the level of interest by a user of the industry station in the selected intellectual property item.

Shear clearly fails to disclose or suggest such a method of promoting intellectual property as required by Claim 1.

Applicant respectfully submits that the method of promoting intellectual property online as set forth in Claim 18 is not disclosed in or suggested by Shear. Shear is completely silent on a method of promoting intellectual property online as set forth in Claim 18, including the steps of providing a description of plural intellectual property items having at least one general description item and at least one confidential

description item and including the steps of selecting an intellectual property item by a consumer station, viewing the selected intellectual property item from the consumer station, selecting the intellectual property item by an industry station, viewing the confidential description item from the industry station, the confidential description item being unavailable for view by the consumer station. Applicant respectfully submits that the step of generating marketing survey information as required by certain ones of the claims in Shear does not disclose or suggest making such market survey information available to an industry station to determine the interest in the selected intellectual property item based on survey information, as required by Claim 1, or for viewing the confidential description as required by Claim 18. Shear only briefly suggests that the audit trail provided by system of Shear can be used by publishers whose items are on the database to perform marketing surveys, but Shear does not suggest that any market survey information would be available in the manner set forth in Applicant's claims.

With regard to independent Claim 25, the processor based system set forth in this claim for promoting intellectual property requires a database including plural intellectual property items including a description of each item, means for selecting a particular intellectual property item by a consumer station and by an industry station, respectively, means for sending feedback data including consumer survey information of a selected intellectual property item to a host station which includes the database, together with means for accessing the feedback data from the industry station to determine the degree of consumer interest in the selected intellectual property item. Shear fails to disclose or suggest such a system.

Lastly, Applicant respectfully submits that the system set forth in Claim 42 is not made obvious by the Shear reference. As with the other dependent claims discussed above. Shear fails to disclose or suggest the provision of a processor based system for promotion of intellectual property wherein each item of intellectual property includes a general description item and at least one confidential description item and whereby a consumer

station may view the general description item and an industry or other station may view the confidential description item for the same piece of intellectual property but which is unavailable for view by the consumer station.

Applicant respectfully submits that the entire concept of a method and system of promoting or marketing intellectual property as required by the claims currently pending in this application is completely absent from the teaching of Shear. The Examiner states that it is noted that it is well known and common knowledge to locate intellectual property material from a host station by way of a consumer station and having another station associated along with the procurement process. However, what Applicant sets forth in Claims 1, 18, 25 and 42 and the claims dependent thereon, respectively, is a method and system whereby consumers may view new intellectual property items and potential manufacturers or "industries" capable of producing the intellectual property item may access the same database for related purposes whereby promotion of the intellectual property items residing on the database is carried out in a manner which facilitates introduction of new products and services to the marketplace. The Shear reference is clearly not directed to such a method or system.

Entry of this amendment in its entirety and consideration for allowance of Claims 1 through 42, as now presented, is respectfully requested. In all events, entry of this amendment is requested for purposes of appeal. A Notice of Appeal is filed concurrently herewith.

Respectfully submitted,

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MARKED UP AMENDED CLAIMS
(AMENDMENT B)

8. (Amended) A method of promoting intellectual property according to claim 7, wherein the at least one common feature is one of a [SIC] Standard Industrial Classification code and a [NAICS] North American Industry Classification System code.

11. (Twice Amended) A method of promoting intellectual property according to claim 10, wherein the survey information is accessible at the Internet site by only the customer station and the industry [stations] station, respectively.

23. (Amended) A method for promoting intellectual property according to claim 22, wherein the at least one common feature is one of a [SIC] Standard Industrial Classification code and a [NAICS] North American Industry Classification System code.

32. (Amended) A processor-based system for promoting intellectual property according to claim 31, wherein the at least one common feature is one of a [SIC] Standard Industrial Classification code and a [NAICS] North American Industry Classification System code.

33. (Twice Amended) A processor-based system for promoting intellectual property according to claim 25, and further comprising:

means for sending from a customer station to a host station intellectual property data representative of an intellectual property item at least partially held by a customer at the customer station, the intellectual property data being included in the at least one database and comprising at least a description of the intellectual property item; and

means for displaying at least the description of the intellectual property item at the host station for view by the consumer station and the industry [stations] station, respectively.

34. (Amended) A processor-based system for promoting intellectual property according to claim 33, wherein the host station includes an Internet site, and further wherein each of the consumer station, the industry station, and the customer [stations] station includes a processor-based work station remote from the Internet site and connectable thereto for accessing the at least one database.

35. (Twice Amended) A processor-based system for promoting intellectual property according to claim 34, wherein the feedback data is accessible at the Internet site by only the customer station and the industry [stations] station, respectively.
